

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- June 15, 1966

Appeal No. 8814 Estate of Robert Goolsby, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on June 22, 1966.

ORDERED:

That the appeal for a variance from the use provisions of the R-5-B District to permit a non-profit organization at 1854 Biltmore Street, NW., lot 814, square 2549, be denied.

FINDINGS OF FACT:

- (1) Appellant's property is located in an R-5-B District.
- (2) The property is improved with a three-story row brick building with attic.
- (3) Appellant states that the property has been used as a dormitory for the Columbia College. The second floor contains an apartment and the rest of the building used as rooming house. At present the property is vacant.
- (4) It is proposed that the building be used by the Washington Hearing Society. The Society would maintain offices and classes for lip-reading and hard-of-hearing children.
- (5) A schedule of activities proposed to be conducted in the building are:
  - (a) Daily pre-school classes, 9:00 a.m. to 12 noon. Approximately ten (10) children accompanied by their parents.
  - (b) Daily Summer Classes (August to September). Approximately twenty (20) children attending classes at various times during the day.

- (c) Lip reading classes. Two classes, one day a week, each class averaging ten (10) to fifteen (15) students.

Two evening classes, one day a week, each class averaging ten (10) to fifteen (15) students.

Clinical testing of children two days weekly 9 a.m. to 3 p.m. Total of 10 to 12 children each day by appointment. Usually children come singly with parent. Occasionally come in groups of 6 to 8 with a teacher in charge.

- (d) Hearing Aid Evaluation Service (Clinical). Principally adults. Four (4) evenings a week, 5 p.m. to 10:00 p.m. Saturday 9:00 a.m. to 5:00 p.m.

- (e) Fellowship Club, twice a month, average attendance fifteen (15) each meeting.

- (6) No opposition was registered at the public hearing.

OPINION:

We are of the opinion that appellant has failed to prove a hardship within the meaning of the Zoning Regulations, as it is uncontested that the subject property can be used for its zoned purpose. The only evidence presented at the hearing had to do with the proposed use of the building. Although the objectives of the Society are meritorious, the Board cannot find the hardship which is necessary to support a variance.